



#3
DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD FOR EFFECTING CHANGES IN THE CENTRAL NERVOUS SYSTEM BY ADMINISTRATION OF IGF-I OR IGF-II, the specification of which was filed December 13, 1995 as Serial No. 08/571,802.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority
Claimed

Yes/No

(Number) (Country) (Date Filed)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

08/398,852	March 6, 1995	Pending
07/909,200	July 6, 1992	Abandoned
(Application Serial No.)	(Filing Date)	(Status)

I hereby direct that all correspondence and telephone calls be addressed to Janelle D. Waack, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210, (713) 787-1686, attorneys for the prospective assignee of this application.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

1-00

Inventor's Full Name	Douglas N. Ishii
Inventor's Signature	<i>Douglas N. Ishii</i>
Date: 3-20-96	Country of Citizenship: U.S.A.
Residence Address	3301 Rawhide Drive LaPorte, Colorado 80535 CO
Post Office Address	same as above

#3
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

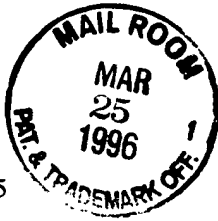
In re Application of:

DOUGLAS N. ISHII

Serial No.: 08/571,802

Filed: December 13, 1995

For: METHOD FOR EFFECTING CHANGES
IN THE CENTRAL NERVOUS SYSTEM
BY ADMINISTRATION OF IGF-I- OR
IGF-II



Examiner:

Group Art Unit:

Attorney Docket: CSUA019/WAA

DECLARATION CLAIMING SMALL ENTITY STATUS
37 CFR §§ 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: AUROGEN, INC.
ADDRESS OF CONCERN: P.O. Box B
Fort Collins, Colorado 80522

I hereby declare that the above-identified concern qualifies as a small business concern as defined in 37 CFR § 1.9(d), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to the small business concern identified above, or will be so conveyed pursuant to an existing obligation, with respect to the above-identified invention. Additionally, rights in the above-identified invention have been conveyed to Colorado State University Research Foundation (601 Howes, Fort Collins, Colorado 80523), which qualifies as a nonprofit organization as defined in 37 CFR §§ 1.9(e) or 1.9(e)(3) and, thus, is also a small entity as defined in § 1.9(f).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR § 1.28(b))

I HEREBY DECLARE THAT ALL STATEMENTS MADE HEREIN OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE, AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION, ANY PATENT ISSUING THEREON, OR ANY PATENT TO WHICH THIS VERIFIED STATEMENT IS DIRECTED.

Date: 3-20-96

By:

Douglas N. Ishii
Name: Douglas N. Ishii
Title: President and C.E.O.
Aurogen, Inc.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

DOUGLAS N. ISHII

Serial No.: 08/571,802

Filed: December 13, 1995

For: METHOD FOR EFFECTING CHANGES
IN THE CENTRAL NERVOUS SYSTEM
BY ADMINISTRATION OF IGF-I OR
IGF-II

Examiner:

Group Art Unit:

Attorney Docket: CSUA019/WAA

DECLARATION CLAIMING SMALL ENTITY STATUS
37 CFR §§ 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: Colorado State University Research Foundation
Address of Organization: 601 S. Howes
Fort Collins, Colorado 80523

I hereby declare that the above-identified organization qualifies as a nonprofit organization as defined in 37 CFR §§ 1.9(e)(1) or 1.9(e)(3), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

I hereby declare that exclusive rights to the invention have been conveyed to the organization, or will be so conveyed pursuant to an existing obligation, with respect to the above-referenced invention, with the exceptions that (i) the Government has certain rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): Grant No. 5R01 NS24327 and (ii) Colorado State University Research Foundation has conveyed, or is obligated to convey, certain rights to the invention to AUROGEN, INC. (P.O. Box B, Fort Collins, Colorado 80523), which qualifies as a small business concern under 37 CFR § 1.9(d) and, thus, is also a small entity as defined in § 1.9(f).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

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COLORADO STATE UNIVERSITY RESEARCH FOUNDATION

Date: 3-21-96

By: Kathleen Byington

Name: Kathleen Byington
Title: President/CEO